

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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:
NUSSUN BINIK,
:

Plaintiff,
:

-v-
:

EQUIFAX INFORMATION SERVICES, LLC,
EXPERIAN INFORMATION SOLUTIONS, INC., and
AMERICAN EXPRESS CO.,
:

Defendants.
:
-----X

20-CV-160 (JMF)

ORDER OF DISMISSAL

JESSE M. FURMAN, United States District Judge:

The Court having been advised at ECF No. 13 that all claims asserted against Defendant Equifax Information Services, LLC (“Equifax”) herein have been settled in principle, it is ORDERED that Defendant Equifax is hereby DISMISSED as a party to the above-entitled action without costs and without prejudice to the right to reopen the action as to Equifax **within sixty days** of the date of this Order if the settlement is not consummated.

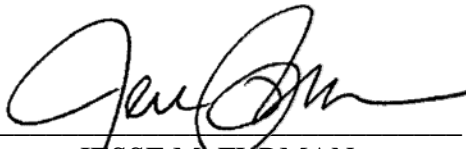
To be clear, any application to reopen **must** be filed **by the aforementioned deadline**; any application to reopen filed thereafter may be denied solely on that basis. **Further, requests to extend the deadline to reopen are unlikely to be granted.**

If the parties wish for the Court to retain jurisdiction for the purposes of enforcing any settlement agreement, they **must** submit the settlement agreement to the Court by the deadline to reopen to be “so ordered” by the Court. Per Paragraph 4(B) of the Court’s Individual Rules and Practices for Civil Cases, unless the Court orders otherwise, the Court will not retain jurisdiction to enforce a settlement agreement unless it is made part of the public record.

Further, all deadlines and conferences are cancelled **as to Defendant Equifax alone**. The Clerk of Court is directed to dismiss Defendant Equifax as a party, and to keep the case open as to the remaining parties. The conference scheduled for April 28, 2020, remains in effect.

SO ORDERED.

Dated: April 23, 2020
New York, New York



JESSE M. FURMAN
United States District Judge